

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LISSANDER DONES,

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE COMMISSIONER
RAYMOND KELLY, in his official capacity, SERGEANT
FRANK TERAN, in his official and individual capacity,
CAPTAIN THOMAS SCOLLAN, in his official and
Individual Capacity, et al,

Defendants.
-----X

WHEREAS, the Court issued an Order for a Conference in accordance with Fed.
R. Civ. P. 16 (b) on May 24, 2007; and

WHEREAS, the Order requires that the parties jointly prepare and sign a
proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as
required by the Order:

- (1) Date of conference:
June 11, 2007

Appearances for the parties:

CRONIN & BYCZEK, LLP
Attorneys for Plaintiff
1983 Marcus Ave., Suite C-120
Lake Success, New York 11042
(516) 358-1700
By: Christopher F. Bellistri (CB4387)

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendant City of New York and Raymond Kelly
100 Church Street, Room 2-102
New York, New York 10007
(212) 788-0894
Jonathan Bardavid (JB0072)
Assistant Corporation Counsel

SCHEDULING ORDER

07 CV 3085 (SAS)

Conference Date: 6/11/07

(2) Statement of the issues:

- (a) whether plaintiff was deprived his constitutional rights by being placed on modified duty for approximately 18 months and suspended twenty days, based upon false charges
- (b) whether plaintiff was deprived his right to due process by being denied access to his attorney or union representation when interrogated
- (c) whether the above was the result of a conspiracy by defendants

(3) A schedule including:

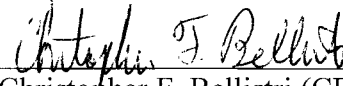
- (a) Persons to be deposed: -approximately five individuals, including parties
-To be completed by November 12, 2007
- (b) Production of documents: *June 20 onenr + automatic disclosures*
-Requests to be served by July 16, 2007
- (c) Expert reports: N/A
- (d) Completion of discovery: December 10, 2007
- (e) Plaintiff to supply pre-trial order matters to defendants: 1 month after decision on defendants' motion for summary judgment
- (f) parties to supply pre-trial order: three weeks after (e)
- (g) final pre-trial conference: *December 21 at 4:30*

(4) Limitations on discovery:

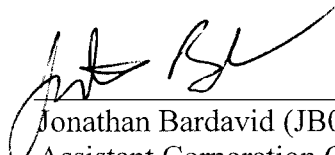
The allegations contained in the complaint are part of a larger open internal affairs investigation that is open. If requested by plaintiff defendant will seek to limit disclosure of any part of IAB file that does not pertain to plaintiff.

- (5) No agreement on discovery issues: N/A
- (6) Expert testimony fields: N/A
- (7) Anticipated length of trial and whether to court or jury: 1 week/ jury
- (8) the Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires;

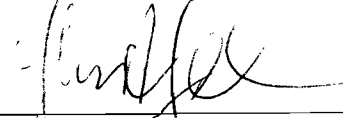
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Jonathan Bardavid (JB0072)
Assistant Corporation Counsel

SO ORDERED:


SHIRA A. SCHEINDLIN
U.S.D.J.

6/11/07